

Approved, SCAO

Original - Court  
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STATE OF MICHIGAN		SUMMONS	CASE NO.
17TH	JUDICIAL DISTRICT JUDICIAL CIRCUIT COUNTY PROBATE		20- 02479 -NI

Court address  
180 Ottawa Ave NW, Grand Rapids, MI 49503Court telephone no.  
(616) 632-5220

Plaintiff's name(s), address(es), and telephone no(s)

RUTH ANDRELLA  
5822 W River Dr NE  
Belmont, MI 49306

Defendant's name(s), address(es), and telephone no(s).

TARGET CORPORATION  
c/o The Corporation Company  
40600 Ann Arbor Rd., E Ste 201  
Plymouth, MI 48170

v

PAUL J. SULLIVAN

Plaintiff's attorney, bar no., address, and telephone no

GREGORY A. LIGHT (P52019)  
THE SAM BERNSTEIN LAW FIRM  
Attorneys for Plaintiff  
31731 Northwestern Hwy, Suite 333  
Farmington Hills, MI 48334-2519

Instructions: Check the items below that apply to you and provide any required information. Submit this form to the court clerk along with your complaint and, if necessary, a case inventory addendum (form MC 21). The summons section will be completed by the court clerk.

**Domestic Relations Case**

- ☒ There are no pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.
- ☐ There is one or more pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint. I have separately filed a completed confidential case inventory (form MC 21) listing those cases.
- ☐ It is unknown if there are pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.

**Civil Case**

- ☐ This is a business case in which all or part of the action includes a business or commercial dispute under MCL 600.8035.
- ☐ MDHHS and a contracted health plan may have a right to recover expenses in this case. I certify that notice and a copy of the complaint will be provided to MDHHS and (if applicable) the contracted health plan in accordance with MCL 400.106(4).
- ☒ There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.
- ☐ A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has

been previously filed in ☐ this court, ☐ \_\_\_\_\_ Court, where

it was given case number \_\_\_\_\_ and assigned to Judge \_\_\_\_\_.

The action ☐ remains ☐ is no longer pending.

Summons section completed by court clerk.

**SUMMONS****NOTICE TO THE DEFENDANT:** In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons and a copy of the complaint to file a written answer with the court and serve a copy on the other party or take other lawful action with the court (28 days if you were served by mail or you were served outside this state).
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.
4. If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

Issue date NOV 10 2020	Expiration date FEB 09 2021	Court clerk LISA MCCORMICK LYONS
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\*This summons is invalid unless served on or before its expiration date. This document must be sealed by the seal of the court.





STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF KENT

RUTH ANDRELLA,

Plaintiff,

v

TARGET CORPORATION,

Defendant.

Case No: 20-08479 -NI  
Hon. **PAUL J. SULLIVAN**

GREGORY A. LIGHT (P52019)  
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There is no other civil action between these parties arising out of the same transaction or occurrence as alleged in this Complaint pending in this Court, nor has any such action been previously filed and dismissed or transferred after having been assigned to a judge, nor do I know of any other civil action not between these parties, arising out of the same transaction or occurrence as alleged in this Complaint that is either pending or was previously filed and dismissed, transferred, or otherwise disposed of after having been assigned to a judge in this Court.

**COMPLAINT**

NOW COMES the Plaintiff, RUTH ANDRELLA, by and through her attorneys, THE SAM BERNSTEIN LAW FIRM, PLLC, and GREGORY A. LIGHT for her cause of action against the Defendant, TARGET CORPORATION and respectfully shows unto this Honorable Court as follows:

1. That Plaintiff, RUTH ANDRELLA, is a resident of the City of Belmont, County of Kent, State of Michigan.
2. That Defendant, TARGET CORPORATION is a foreign business entity licensed to do business in the State of Michigan, doing business in the City of Walker, County of Kent, State of Michigan and owns and/or operates the Target Store located at 3248 Alpine Avenue, NW, in the City of Walker, County of Kent, State of Michigan.

THE  
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LAW FIRM

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3. That all the acts, transactions and occurrences arose in the City of Walker, County of Wayne, State of Michigan.
4. That the amount in controversy in this litigation exceeds the sum of Twenty Five Thousand (\$25,000.00) Dollars exclusive of costs, interest and attorney fees.
5. That on or about the 14th day of October 2018, said Defendant, TARGET CORPORATION, was then and there the owner, operator and/or in control of the premises located at 3248 Alpine Avenue, NW, in the City of Walker, County of Kent, State of Michigan exercising control over the premises and its team members.
6. That on the aforementioned date, your Plaintiff, RUTH ANDRELLA was lawfully upon the aforescribed premises as a business invitee and while standing in an aisle, was struck from behind by an overloaded large produce fast mover cart that was being pushed by a team member of Defendant believed to be Kim Armack, striking Plaintiff's right foot and right shoulder with great force and violence causing serious injuries.
7. That at all times relevant hereto, the Defendant, TARGET CORPORATION, owed a duty to Plaintiff, RUTH ANDRELLA, a business invitee, lawfully proceeding upon the premises to keep same in a safe condition, free from dangerous conditions then and there existing and free from negligent acts of its employees and team members.
8. That in total disregard of such duties the Defendant, TARGET CORPORATION, at all times material herein, breached said duties in one or more of the following particulars but, not necessarily limited to:
  - a. Negligently, carelessly and recklessly creating a dangerous and hazardous condition to individuals who were on said premises and failing to act with due care, to wit: allowing a team member to move an overloaded produce fast mover in a manner that it violently struck a customer;
  - b. Negligently, carelessly and recklessly maintaining their premises in a dangerous condition and failing to act with due care by allowing its team members to move overloaded produce movers in common areas where customers were known to be, or should have known upon casual

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- observation that a customer was present, yet failed to take any reasonable steps to see and avoid said customer and violently strike the customer;
- c. Negligently, carelessly and recklessly increasing the hazard of being on the premises by the negligent acts of its team members;
- d. Negligently, carelessly and recklessly failing to keep proper lookout for its customers to avoid its team members from moving an overloaded produce fast mover in a known area where customers would be and in a manner that violently struck a customer;
- e. Negligently, carelessly and recklessly allowing its team members to move overloaded produce fast mover carts in the manner previously described;
- f. Negligently, carelessly and recklessly failing to put into place proper precautions and procedures to prevent its team-members from moving overloaded produce fast movers in known areas where customers would be and to prevent them from violently striking a customer;
- g. Negligently, carelessly and recklessly failing to provide Plaintiff, RUTH ANDRELLA, a reasonable and safe means to safely shop on said premises;
- h. Negligently, carelessly and recklessly failing to keep the premises and all common areas herein fit for the foreseeable uses;
- i. Negligently, carelessly and recklessly failing to take the necessary precautions and properly train its team members to use due care and to protect its customers from being violently struck by its team members;
- j. Negligently, carelessly and recklessly failing to use reasonable care to protect the Plaintiff, RUTH ANDRELLA, and those like her from and against the negligence described herein;
- k. Negligently, carelessly and recklessly allowing said premises to be a hazard by failing to prevent its team members from using due care to avoid harming and injuring its customers;
- l. Negligently, carelessly and recklessly failing to alleviate a dangerous condition which Defendant knew or had reason to know existed by failing to properly train its team members;
- m. Negligently, carelessly and recklessly failing to warn Plaintiff and those like her of the imminent dangers that then and there existed by the lack of due care of its team members;



- n. In otherwise negligently, carelessly and recklessly failing to exert that degree of care, caution and diligence as would be demonstrated by a reasonable prudent business under the same or similar circumstances and in otherwise causing the injuries and damages to Plaintiff as hereinafter alleged;
  - o. Violation of local City and/or Township Ordinances and Building Codes and/or the Michigan Building Code and/or the International Property Maintenance Code;
  - p. Violation of company policies and procedures in the training of team members particularly as it relates to the use and movement of produce fast movers;
  - q. Negligently, carelessly and recklessly being guilty of other acts or negligence currently unknown to Plaintiff but, which will be ascertained through the discovery process.
9. That as a direct and proximate result of the negligent acts and/or omissions on the part of the Defendant, TARGET CORPORATION, Plaintiff, RUTH ANDRELLA, was violently struck with great force and caused to suffer severe, grievous and permanent personal injuries, disability and damages, the full extent and character of which are currently unknown, but which will include but are not necessarily limited to:
- (a) Right shoulder adhesive capsulitis;
  - (b) Right shoulder rotator cuff tendonitis;
  - (c) Right shoulder bicep tendonitis;
  - (d) Right shoulder pain;
  - (e) Right foot injury and pain;
  - (f) Pain, suffering, discomfort, disability, extreme physical and emotional suffering;
  - (g) Severe and continuing embarrassment, humiliation, anxiety, tension and mortification;
  - (h) Loss of the natural enjoyments of life;

THE  
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(i) Expenditures for physicians, hospitals, medicinal things and substances.

WHEREFORE, Plaintiff, RUTH ANDRELLA, prays that this Honorable Court award her damages in whatever amount to which she is entitled to receive that exceeds the sum of Twenty-Five Thousand (\$25,000.00) Dollars, together with costs, interest and attorney fees.

Respectfully submitted,

THE SAM BERNSTEIN LAW FIRM

*/s/ Gregory A. Light*

Dated: November 4, 2020

By:

GREGORY A. LIGHT (P52019)  
Attorney for Plaintiff  
31731 Northwestern Hwy., Ste 333  
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STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF KENT

RUTH ANDRELLA,

Plaintiff,

v

TARGET CORPORATION,

Defendant.

Case No: 20-0847 -NI  
Hon.

PAUL J. SULLIVAN

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**JURY DEMAND**

NOW COMES the Plaintiff, RUTH ANDRELLA by and through her attorneys, THE SAM BERNSTEIN LAW FIRM, by GREGORY A. LIGHT, and hereby respectfully demands a trial by jury in the above-entitled cause of action.

Respectfully submitted,

THE SAM BERNSTEIN LAW FIRM

*/s/ Gregory A. Light*

Dated: November 4, 2020

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Gregory A. Light (P52019)  
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